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FILED

JAN 23 2003

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

By: John D. Hugelmeyer
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Administrative Action

MICHAEL MANNO, D.C.
License No. MC

PROVISIONAL ORDER
OF DISCIPLINE

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent is a chiropractor in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On February 11, 2002, Respondent pleaded guilty in United States District Court for the Southern District of New York to the crime of Conspiracy to Distribute and to Possess with Intent to Distribute, Ketamine, a Schedule III narcotic. Respondent voluntarily entered a plea of guilty to one count of violation of 21 U.S.C. §846, in that he did travel from Florida to New Jersey for the purpose of contacting and agreeing with a co-conspirator to obtain a quantity of Ketamine for the purpose of distribution, and was observed by government agents attempting to obtain delivery of the drug. (Copy of the judgement of conviction annexed hereto and made a part hereof)

3. The following sentence was ordered on May 24, 2002: Twenty-seven (27) months in custody; Four (4) Years Supervised Release; and a fine of \$6,000.

CONCLUSIONS OF LAW

1. The above conviction provides grounds for the revocation of his license to practice chiropractic in New Jersey pursuant to N.J.S.A 45:1-21(f) in that the crime of which Respondent was convicted is one of moral turpitude and/or relates adversely to the practice of chiropractic.

ACCORDINGLY, IT IS on this 23rd day of January, 2003,
ORDERED that:

1. Respondent's license to practice chiropractic in the State of New Jersey be, and hereby is, revoked. The Board shall not entertain an application for reinstatement of Respondent's license to practice chiropractic in this State for a period of at least five (5) years; and

2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board (or a committee thereof) to demonstrate fitness to resume practice. Respondent shall supply the Board proof that he has complied with the terms of his criminal sentence in advance of his appearance. Any practice in this State prior to formal reinstatement of license by the Board shall constitute grounds for a charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should his license be reinstated.

3. The within Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to Kevin B. Earle, Executive Director, State Board of Chiropractic Examiners, 124 Halsey Street, P.O. Box 45004, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.

c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor, including any reasons for mitigation of the sanctions imposed.

4. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through the submission by Respondent during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Discipline will be entered.

5. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to, an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein shall serve as notice of the factual and legal allegations in such proceeding.

NEW JERSEY STATE BOARD OF CHIROPRACTIC EXAMINERS

By Brian Attkisson, D.C.
Brian Attkisson, D.C.
Board President